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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,186	03/25/2004	Daniel Bigda	4253-040072	6007
28289	7590	11/06/2006	EXAMINER	
THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE PITTSBURGH, PA 15219				LE, MARK T
		ART UNIT		PAPER NUMBER
		3617		

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/809,186	BIGDA ET AL.	
	Examiner Mark T. Le	Art Unit 3617	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Mark T. Le. (3) \_\_\_\_.  
 (2) James Porcelli. (4) \_\_\_\_.

Date of Interview: 30 October 2006.

Type: a) Telephonic b) Video Conference  
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
 If Yes, brief description: \_\_\_\_.

Claim(s) discussed: all.

Identification of prior art discussed: \_\_\_\_.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Attachment : Proposed Claims

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.

Examiner's signature, if required

## Summary of Record of Interview Requirements

### **Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### **Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**

#### **Paragraph (b)**

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### **37 CFR §1.2 Business to be transacted in writing.**

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  

(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### **Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Porcelli called the examiner to ask the examiner to consider the lower guide feature shown in Figure 5 of the instant drawings as to whether such feature would be favorably considered. In response, the examiner suggested Mr. Porcelli to draft proposed claims for consideration. Mr. Porcelli then e-mailed to the examiner the proposed claims as shown in the attachment. After considering the proposed claims, the examiner called Mr. Porcelli to inform that the proposed claim feature of the lower guide was too broad, and that the structure of at least one of the references of record would certainly meet Applicant's proposed limitation. At the end of the interview, Mr. Porcelli indicated that he will submit a formal amendment including a more detailed recitation of the feature of the lower guide in hope that the examiner would find it in a more favorable consideration .

## **PROPOSED CLAIMS FOR DISCUSSION ONLY**

**10/30/2006 9:36 AM**

### **Listing of Claims**

1. (Currently Amended) A trolley system for positioning the door of a railway boxcar to cover or uncover an opening in a wall of the railway boxcar comprising:
  - a) an upper track mounted upon the railway boxcar;
  - b) an upper trolley having a body with at least one roller rotatably secured therein, wherein the at least one roller of the upper trolley has a groove and is adapted to support the weight of the door and wherein the at least one roller rests upon the upper track and the roller groove is engaged by the track; and
  - c) a safety plate connected to the railway boxcar and positioned above and adjacent to the at least one roller of the upper trolley, wherein the plate includes a projection extending from the safety plate downwardly to at least partially enter the roller groove and physically limits the vertical movement of the roller in the upper trolley to prevent derailment of the upper trolley roller from the upper track; and
  - d) a lower guide adapted to direct the travel of the bottom of the door along a path identical to that path in which the upper trolley directs the door, wherein the lower guide includes a safety support extending horizontally from the boxcar to restrict the distance the door may fall.
2. (Original) The trolley system according to claim 1, wherein the at least one roller has a concave outer surface and the upper track has a convex outer surface which mates with the roller outer surface.
3. (Withdrawn) The trolley system according to claim 2, wherein the at

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least one roller has a U-shaped outer surface and the track has a mating U-shaped outer surface.

4. ~~(CancelledWithdrawn)~~ — The trolley system according to claim 3, wherein the plate includes a projection extending from the top of the plate downwardly to at least partially enter the groove and to limit the vertical displacement of the roller.

5. (Withdrawn) The trolley system according to claim 3, wherein the at least one roller has a curved outer edge and the track portion in contact with the upper trolley is U-shaped.

6. (Original) The trolley system according to claim 2, wherein the plate defines in conjunction with the roller a vertical distance which is less than the vertical distance that would permit the roller and track to become disengaged.

7. (Original) The trolley system according to claim 6, wherein the plate further extends to generally enclose the upper trolley to act as a safety shield and to protect against the weather.

8. ~~(CancelledOriginal)~~ The trolley system according to claim 1, further including a door and a lower guide, wherein the lower guide directs the travel of the door along a path identical to that in which the upper trolley directs the door.

9. ~~(Currently Amended Original)~~ The trolley system according to claim 8, further including a door and wherein the upper trolley and lower guide are connected directly to the door.

10. (Previously Presented) The trolley system according to claim 9, wherein:

a) the system further includes a lower track mounted upon the railway boxcar below the door opening;

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b) the lower guide is a lower trolley having a body with at least one roller rotatably secured therein, and wherein the at least one roller of the lower trolley is adapted to support the weight of the door and wherein the at least one roller rests upon the lower track; and

c) a safety plate connected to the railway boxcar and positioned above and adjacent to the at least one roller of the lower trolley, and wherein the plate physically limits the vertical movement of the upper trolley to prevent derailment of the upper trolley from the upper track.

11. (Currently Amended Original) The trolley system according to claim 8, further including a door and a support member connecting the upper trolley and lower guide, and wherein the door is connected to the support member.

12. (Previously Presented) The trolley system according to claim 11, wherein:

a) the system further includes a lower track mounted upon the railway boxcar below the door opening;

b) the lower guide is a lower trolley having a body with at least one roller rotatably secured therein, and wherein the at least one roller of the lower trolley is adapted to support the weight of the door and wherein the at least one roller rests upon the lower track; and

c) a safety plate connected to the railway boxcar and positioned above and adjacent to the at least one roller of the lower trolley, and wherein the plate physically limits the vertical movement of the lower trolley to prevent derailment of the lower trolley from the upper track.

13. (Original) The trolley system according to claim 11, further including at least one axial guide between the door and the support member to permit axial movement of the door in a direction perpendicular to the plane of the door to plug or unplug the door opening.

14. (Original) The trolley system according to claim 11, wherein the support member further includes a pivot guide for imparting to the support member an arcuate

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motion which is also imparted to the door to plug and unplug the door opening.

15. (Original) The trolley system according to claim 14, wherein the pivot guide is an offset arm extending from the body of the upper trolley to the support member.

16. (Original) The trolley system according to claim 15, wherein the offset arm is secured to the body of the upper trolley by a kingpin extending through both the offset arm and the body of the upper trolley.

17. (Original) The trolley system according to claim 16, wherein the offset arm provides an arcuate motion to the door such that rotation of the support member by approximately 30 degrees will move the door to plug and to unplug the door opening.

18. (Original) The trolley system according to claim 14, further including a recess within the door to accommodate the support member thereby minimizing the distance the support member extends away from the railway boxcar.

19. (Currently Amended Original) The trolley system according to claim 8, further including a door and wherein the upper trolley body further includes a limit arm to limit the travel of the door from the closed to the open position.

20. (Withdrawn) The trolley system according to claim 8, further including a safety arm supported by the boxcar door, wherein the safety arm has an overhung portion which is positioned vertically above the upper track such that the safety arm will engage the upper track or a platform supporting the track if the door drops.

21. (Currently Amended) A railway boxcar, comprising:

- a) a base;
- b) railway boxcar rollers secured to the base;
- c) an enclosure attached to the base, wherein the enclosure has a door

opening;

- d) an upper track mounted upon the railway boxcar;
- e) an upper trolley having a body with at least one roller rotatably secured therein, wherein the at least one roller of the upper trolley has a groove and is adapted to support the weight of the door and wherein the at least one roller rests upon the upper track and the groove of the roller is engaged by the track;
- f) a plate surrounding the upper trolley and upper track, wherein the plate includes a projection extending from the top of the plate downwardly to at least partially enter the roller groove and physically limits the vertical movement of the upper trolley to prevent derailment of the upper trolley from the upper track;
- g) a lower guide which directs the travel of the door along a path identical to that in which the upper trolley directs the door, wherein the lower guide includes a safety support extending horizontally from the railway boxcar to restrict the distance the door may fall;
- h) a frame attached to the upper trolley and the lower guide;
- i) a door attached to the frame, the door adapted to move axially relative to the frame, the door when aligned with the door opening adapted to move axially in a first position to seal the door opening and prevent movement of the frame relative to the tracks and when the door is axially moved to a second position, the door is adapted to move away from the door opening so that the frame and door may move laterally along the tracks to expose the door opening; and
- j) a crank co-acting with the frame and the door to move the door in the first position and the second position.

22. (Currently Amended) A kit for assembling a trolley system for positioning the door of a railway boxcar to cover or uncover an opening in a wall of the railway boxcar comprising:

- a) an upper track adapted to be mounted upon the railway boxcar;
- b) an upper trolley having a body with at least one roller rotatably secured therein, wherein the at least one roller of the upper trolley has a groove and is adapted to support

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the weight of the door and wherein at least one roller rests upon the upper track and the groove f  
the roller is engaged by the track; and

c) a safety plate adapted to be connected to the railway boxcar and positioned above and adjacent to the at least one roller of the upper trolley, wherein the plate includes a projection extending from the safety plate downwardly to at least partially enter the roller groove and is positioned to physically limit the vertical movement of the roller in the upper trolley to prevent derailment of the upper trolley roller from the upper track.

23. (Original) The kit according to claim 22, further including a lower guide adapted to be mounted upon the railway boxcar below the door opening, wherein the lower guide is adapted to direct the travel of the door along a path identical to that in which the upper trolley directs the door.

24. (Original) The kit according to claim 23, further including a support member connecting the upper trolley and the lower guide, wherein the support member is adapted to be connected with the door.

25. (Currently Amended) A method of retrofitting a boxcar with a trolley system for positioning the door of a railway boxcar to cover or uncover an opening in a wall of the railway boxcar comprising the steps of:

- a) securing an upper track to the boxcar;
- b) positioning an upper trolley upon the upper track, wherein the upper trolley has a body with at least one roller rotatably secured therein and wherein the at least one roller of the upper trolley has a groove and is adapted to support the weight of the door and wherein the at least one roller rests upon the upper track and the roller groove is engaged by the track;
- c) securing the door to the upper trolley; and
- d) securing a safety plate to the railway boxcar positioned above and adjacent to the at least one roller of the upper trolley, wherein the plate includes a projection extending from the safety plate downwardly to at least partially enter the roller groove and is positioned to

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physically limit the vertical movement of the roller in the upper trolley to prevent derailment of the upper trolley roller from the upper track; and

- e) securing a lower guide to the railway car to direct the travel of the bottom of the door along a path identical to that path in which the upper trolley directs the door, wherein the lower guide includes a safety support extending horizontally from the boxcar to restrict the distance the door may fall.

26. (Cancelled Original) The method according to claim 25, further including the step of securing a lower guide to the railway car, wherein the lower guide is connected to the upper trolley to direct the travel of the door along a path identical to that in which the upper trolley directs the door.

27. (Currently Amended) A trolley system for positioning the door of a railway boxcar to cover or uncover an opening in a wall of the railway boxcar comprising:

- a) an upper track mounted upon the railway boxcar;
- b) an upper trolley having a body with at least one roller rotatably secured therein, wherein the at least one roller of the upper trolley has a groove and is adapted to support the weight of the door and wherein the at least one roller rests upon the track and the roller groove is engaged by the track; and
- c) a safety plate connected to the railway boxcar and positioned above and adjacent to the at least one roller of the upper trolley, wherein the plate physically limits the vertical movement of the roller in the upper trolley to prevent derailment of the upper trolley roller from the upper track, wherein the plate includes a projection extending from the top of the plate downwardly to at least partially enter the roller groove and to limit the vertical displacement of the roller; and
- d) a lower guide adapted to direct the travel of the bottom of the door along a path identical to that path in which the upper trolley directs the door, wherein the lower guide includes a safety support extending horizontally from the boxcar to restrict the distance the door may fall.